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Telephone:

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Number of Pages (including this page)

Date:

November 17, 2004

To:

Duong, Frank - 2666

Location:

United States Patent and Trademark Office

Fax No.:

703-872-9306

From:

Indira Saladi - 45,759

Subject:

09/760,981- LoGalbo, et al.

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MESSAGE:

Enclosed herewith, please find a response to Notice of Non-Compliant Amendment dated October 20, 2004 for filing in the below-identified application.

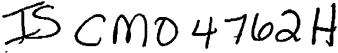
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EXAMINER: Duong, Frank GROUP ART UNIT: 2666 SERIAL NO.: 09/760,981 FILED: JANUARY 16, 2001 INVENTOR: LOGALBO, ET AL. NOV-17-2004 13:31 FROM:

Signature

TO:USPTO

		Application Number	09/760	,981		
TRANSMITTAL		Filing Date	Januar	January 16, 2001		
		First Named Inventor LoGalbo, et al.				
•	FORM	Group Art Unit 26		2666 Duong, Frank		
to be used for all cor	respondence after initial filing)					
'	Pages in this Submission 12		CM047			
		ENCLOSURES	**	(check al	I that apply)	
Fee Tre	ansmittal Form	Drawing(s)			owance Communication to a	
	Fee Attached	Licensing-Related papers		Technology Center (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
X Amend	ment/Reply	Petition				
After Final		Petition to Convert to a Provisional Application		Proprietary Information		
Affidavits/Declaration(s)				Status Letter with appropriate copies		
Extension of Time Request		Power of Attorney, Revocation, Change of Correspondence Address		X Other Enclosure(s) (please Identity below		
Express Abandonment Request		Terminal Disclaimer		X Copy of Notice of Non-Compliant Amendment		
Informa	ntion Disclosure Statement	Request for Refund			•	
Certified Copy of Priority Documents		CO, Number of CDs		e		
Respor	se to Missing Parts/	Remarks				
Incomplete Application						
	Response to Missing Parts Under 37 CFR 1.52 or 1.53					
		OF APPLICANT, ATTOR	NEY, OR	AGENT		
Firm or Individual	Indira Saladi		Re	egistration No.	45,759	
Signature	mufaer					
Date	November 17, 2004					
		CERTIFICATE OF MAILI				
I hereby certify	that this correspondence	is being facsimile transmitte ent postage as first class ma	ed to the	USPTO or dep	oosited with the ssed to:	
Commissioner	for Patents, Alexandria, V	A 22313 on the date listed	below:			
Typed or printed		2/2-4				
Signature	Facila 1	Vanerico		Date	November 17, 2004	





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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/760,981 01/16/2001		01/16/2001	Robert D. LoGalho .		CM04762H	6033	
22917	7590	10/20/2004	EXAMINER		NEK		
MOTORO		UIN ROAD			DUONG, FRANK		
ILOI/3RD	ALGOING	UNI KOAD			ART UNIT PAPER NUMBER		
	SCHAUMBURG, IL 60196		OCT 2 5 2004		Zñóó		
			PATENT DEPT U.S. DOCKETING	DATE MAILED: 10/20/2004			

Please find below and/or attached an Office communication concerning this application or proceeding.

NTC Non-Compliant Amend RESPONSE 20 NO 2004

PTO-90C (Rev 10/03)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
LINITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1 450
ALEXANDRIA, VA 223 3 31 450
WWW.Epid.gov

TO: USPTO

Notice of Non-Compliant Amendment (37 CFR 1 121)
The amendment document filed on is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).
THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: 1. Amendments to the specification: A. Amended paragraph(s) do not include markings. B. New paragraph(s) should not be underlined. C. Other
2 Abstract: A. Not presented on a separate sheet. 37 CFR 1.72. B. Other
 3. Amendments to the drawings: 4. Amendments to the claims A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all pending claims (including withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered). D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other:
For further explanation of the amendment format required by 37 CFR 1 121, see MPEP Sec. 714 and the USPTO website at http://www.uspta.gov/web/office/nac/dappropla/preognotice/officeflyer.pdf.
If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121 Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the ments will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a home fide attempt to be a reply (37 CFR 1 135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1 121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).
If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for

Rev. 6/04

status of the amendment.

Legal Instruments Examiner (1.11)